



INTELLECTUAL PROPERTY LAW

TIMOTHY E. NEWHOLM
DIRECT DIAL: 414-225-1667
TEN@BOYLEFRED.COM

SUITE 1030
250 EAST WISCONSIN AVENUE
MILWAUKEE, WI 53202
PHONE: 414.225.9755 FAX: 414.225.9753
E-MAIL: MAIL@BOYLEFRED.COM

January 13, 2006

Mail Stop Patent Application
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Re: Utility Patent Application Transmittal
U.S. Patent Application Ser. No. (not assigned)
National Phase of PCT/EP2004/007743
Inventors: Berger et al.
Title: *Working Tool with Damped Handle*
Assignee: Wacker Construction Equipment AG
Customer Account No.: **23598**
Our Ref: 72.104

Dear Sir:

Enclosed in connection with the above-identified national phase patent application are:

- the national phase application, consisting of:
 - 32 pages of specification,
 - 36 claims on 7 sheets, and
 - 5 Drawings on 5 sheets;
- a Transmittal Letter to the United States Designated/Elected Office (DO/EO/US) Concerning a Submission Under 35 U.S.C. 371;

Commissioner for Patents

January 13, 2006

Page 2

- a Preliminary Amendment (1) entering amendments made to the international application under Article 34, (2) a substitute specification in which the application is amended to incorporate the amendments made under Article 34 and to insert the required headings, (3) amending the claims without narrowing the claims and without adding new matter, (4) eliminating multiple dependencies and otherwise placing the claims into conformance with preferred USPTO practice, and (5) adding an Abstract. Please enter the Preliminary Amendment before determining the filing fees; and
- an Information Disclosure Statement (IDS), Form PTO-1449, and a copy of the cited documents.

Documents to Follow:

- an executed Declaration;
- an executed Assignment to Wacker Construction Equipment AG;
- a recordation cover sheet; and
- an Appointment of Domestic Representative.

Applicant(s):

<u>Name</u>	<u>Residence</u>
Rudolf Berger	Grünwald, Germany
Wolfgang Schmid	München, Germany
Otto W. Stenzel	Neuhütten/Wüestenrot, Germany

Assignment for Published Application:

Wacker Construction Equipment AG

Power of Attorney:

Those attorneys associated with Customer Account No. **23598**.

Small Entity Statement:

Not applicable.

Commissioner for Patents

January 13, 2006

Page 3

Domestic Priority data as claimed by applicant:

This application is a 371 of PCT/EP2004/007743; filed 13 July 2004
(07.24.2004).

Foreign Application(s):

German Appl. Ser. No. 103 32 109.8; filed 15 July 2003 (24.07.2003); and German
Appl. Ser. No. 10 2004 025 674.8, filed 26 March 2004.

Non-Publication Request:

Not applicable.

Deposit Account Authorization

The Director is hereby authorized to charge payment of any additional fees associated
with this communication or credit any overpayment to Deposit Account No. 50-1170.

Respectfully submitted,



Timothy E. Newholm
Registration No. 34,400

Enclosures